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September 1, 2004

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Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 09/557,907; Filed: April 21, 2000

Methods for Treating Cancer Using Cytokine-Expressing

Polynucleotides (as amended)

Inventors:

HORTON et al.

Our Ref:

1530.0060004/EKS/EJH/PAC

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Sixth Supplemental Information Disclosure Statement Under 37 C.F.R. 1.97(b);
- 2. Form PTO-1449 listing 5 documents;
- Copies of the 5 documents as listed on Form PTO-1449 (AE3-AI3 and 3. AS51); and
- 4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Elizabeth J. Haanes, Ph.D. Attorney for Applicants

Registration No. 42,613

EJH/PAC:dbi **Enclosures**

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In re application of:

HORTON et al.

Appl. No.: 09/557,907

Filed: April 21, 2000

For: Methods for Treating Cancer

Using Cytokine-Expressing Polynucleotides (as amended)

Confirmation No.: 9397

Art Unit: 1632

Examiner: Wilson, Michael C.

Atty. Docket: 1530.0060004/EKS/EJH/PAC

Sixth Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Fifth Supplemental Information Disclosure Statement filed on August 11, 2004 in connection with the above-captioned application. A copy of each document is provided.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

HORTON et al. Appl. No. 09/557,907

- 2 -

This Information Disclosure Statement is being filed before the mailing of a first

Office Action after the filing of a request for continued examination under 37 C.F.R. §

1.114. No statement or fee is required.

Where the publication date of a listed document does not provide a month of

publication, the year of publication of the listed document is sufficiently earlier than the

effective U.S. filing date and any foreign priority date so that the month of publication is

not in issue. Applicants have listed publication dates on the attached PTO-1449 based on

information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on

the date indicated.

It is respectfully requested that the Examiner initial and return a copy of the

enclosed PTO-1449, and indicate in the official file wrapper of this patent application

that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee

deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Elizabeth J. Haanes, Ph.D.

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Date: Seplember 1, 2004

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				Horton et al.				
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U.S. PATENT DOCUMENTS EXAMINER DOCUMENT								
INITIAL	-	NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE	
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	AE3	5,264,618	11/23/1993	Felgner et al.	 		04/16/1991	
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	AF3	5,861,397	01/19/1999	Wheeler			10/03/1996	
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	AG3	5,994,317	10/30/1999	Wheeler			04/09/1990	
	AH3	6,022,874	02/08/2000	Wheeler	-		12/23/1998	
	AI3	US 2003/0203863 A1	10/30/2003	Hobart et al.			04/23/2002	
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	AS <u>51</u>	Copy of co-pending U.S. Application No. 10/127,683, Hobart et al., filed April 23, 2002,						
		published a	published as US 2003/0203863 A1 and submitted as document Al3 above.					
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EXAMINER : Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance								
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